

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office AUG 17 1979

Returned to applicant for correction _____

Corrected application filed _____

Map filed AUG 17 1979 under 37068

The applicant Falcon Exploration

1900 Powell St, #930, of Emeryville
Street and No. or P.O. Box No. City or Town

Calif. 94605, hereby make application for permission to appropriate the public
State and Zip Code No.

waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.) Everett E. Berg dba Falcon
Exploration

1. The source of the proposed appropriation is underground (well #3)
Name of stream, lake or other source.

2. The amount of water applied for is .5 second-feet
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet _____ acre-feet

3. The water to be used for mining milling & domestic
Irrigation, power, mining, manufacturing, domestic, or other use.

4. If use is for:

(a) Irrigation (state number of acres to be irrigated) _____

(b) Stockwater (state number and kinds of animals to be watered) _____

(c) Other use (describe fully under "No. 12. Remarks") _____

(d) Power:

(1) Horsepower developed _____

(2) Point of return of water to stream _____

5. The water is to be diverted from its source at the following point: within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 35,

T2N, R.42E. MDB&M, at a point from which the N $\frac{1}{4}$ corner of Sec 34,
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land,

T2N, R42E, MDB&M bears N.75°04'05" W, 4696.93'.
it should be stated.

6. Place of use SE $\frac{1}{4}$ Sec 27, SW $\frac{1}{4}$ Sec 26, NW $\frac{1}{4}$ Sec. 35, NE $\frac{1}{4}$ Sec 34, & the N $\frac{1}{2}$
Describe by legal subdivision, if on unsurveyed land it should be so stated.

SE $\frac{1}{4}$ Sec 34, all within T.2N., R.42E. MDB&B

7. Use will begin about Jan 1 and end about Dec 31, of each year.
Day and Month Day and Month

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Drilled & cased well, distribution system, pump & motor
State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.

9. Estimated cost of works.....\$10,000
10. Estimated time required to construct works.....3 years
11. Estimated time required to complete the application to beneficial use.....5 years
12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

The exact amount of wtr is unknown at this time. When the mill design is final, consumption data will be supplied. Use map under 37068

Applicant Falcon Exploration Co.

By/ Ross E. de Lipkau

P.O. Box 2790

Compared lp/bl gk/ja Reno, Nev 89505

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights on the source. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level at permittee's well due to other ground water development in the area. A measuring device must be installed and measurements of water use kept. The well shall be equipped with a 2-inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of the water granted herein at any and all times.

The total combined duty of water under this permit and Permits 37068 and 37069 shall not exceed 262.8 million gallons annually.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.5 cubic feet per second, but not to exceed 118.0 million gallons annually.

Actual construction work shall begin on or before February 1, 1981

Proof of commencement of work shall be filed before March 1, 1981

Work must be prosecuted with reasonable diligence and be completed on or before February 1, 1982

Proof of completion of work shall be filed before March 1, 1982

Application of water to beneficial use shall be made on or before February 1, 1984

Proof of the application of water to beneficial use shall be filed on or before March 1, 1984

Map in support of proof of beneficial use shall be filed on or before

Commencement of work filed

Completion of work filed

Proof of beneficial use filed

Cultural map filed

Certificate No. Issued

Recorded Bk. Page

IN TESTIMONY WHEREOF, I, WILLIAM J. NEWMAN

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 1st day of AUGUST

A.D. 19 80

William J. Newman
State Engineer

WITHDRAWN BY APPLICANT APR 18 1981
218 (Rev.)

William J. Newman
STATE ENGINEER